

PORT OF HOUSTON AUTHORITY

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March 31, 2010

VIA EMAIL

Mr. Albert R. Axe, Jr.
Winstead PC
401 Congress Avenue
Suite 2100
Austin, TX 78701
aaxe@winstead.com

Re: San Jacinto River Waste Pits-Access Agreement-Addendum #2

Dear Mr. Axe:

This letter is the second addendum to our letter to you of December 16, 2009 relating to entry onto the Site by Grantees. We understand that the Grantees are planning to conduct a time critical removal at the Site and are seeking the consent of the Port of Houston Authority ("PHA") for access to the Site to conduct this time critical removal and associated activities, including sediment sampling and Site stabilization.

To the extent that the PHA has any interest in the submerged sediments in the San Jacinto River, it has no objection to entry onto the Site by the Grantees to conduct the time critical removal and associated activities, including sediment sampling and Site stabilization, that are planned for the Site, subject to the same conditions and limitations set forth in its letter to you of December 16, 2009. Nothing in this letter is to be construed as any waiver of any rights of the PHA in connection with the Site, the San Jacinto River and/or actions by Grantees.

Very truly yours,

A handwritten signature in cursive script that reads 'Linda Henry'.

Linda Henry

cc: Ms. Barbara Nann
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